

Another Type of Discrimination Teaching Notes

What Are the Relevant Facts?

1. Paula and Terry have worked together on an important, major marketing plan.
2. The marketing plan has the approval of Paula's supervisor, who believes that its successful execution will result in Paula's being promoted to a different, more desirable product line.
3. Terry would like to have Paula's current position as Product Manager, and her chances increase if Paula is promoted.
4. Terry is knowledgeable about both the marketing plan and the research pertaining to the physical attractiveness phenomenon. As a result, she is troubled by promulgation of a stereotype-phenomenon which a substantial amount of scientific research shows to have a negative impact on individuals and society.
5. Paula has one scientific/empirical article from atop marketing journal that shows it is financially advantageous to associate spokespersons of lower physical attractiveness with mundane products such as the floor scrubbing soap.
6. Terry is aware that the physical attractiveness phenomenon is being discussed as a new social issue of increasing importance that is expected, in the future, to manifest itself in the form of product/company boycotts and lawsuits.

What Are the Ethical Issues?

1. To what extent is Terry responsible for alerting the company about an increasingly important social issue that many experts are expecting to develop into boycotts of products and companies in the future, and possibly even result in related lawsuits?
2. Does Terry have an obligation to speak up when she believes marketing is promulgating an inferior role for those people born with lower physical attractiveness?
3. Should Terry be more concerned with her own career gain (possibly being promoted to Brand Manager if the current marketing plan is successful and Paula is promoted) or her own beliefs in social justice based on her knowledge of over 1,000 related empirical articles published in academic journals?

Who Are the Primary Stakeholders?

- Paula, both professionally and personally
- Terry, both professionally and personally
- Society and physically unattractive individuals
- Possibly the company and its stockholders if in fact related boycotts and lawsuits are likely to arise in the future

What Are the Possible Alternatives?

1. Terry could express her feelings about changing the marketing plan so it does not promulgate this discrimination based on appearance.
2. Terry could be quiet and hope Paula receives a promotion, which in turn would increase Terry's chances of being promoted and might ultimately give Terry a greater opportunity to express her social conscience.
3. Since Paula feels strongly about what the spokespersons should look like for this product, Terry could request a meeting to discuss the issue with Paula's superior to determine his views.
4. Terry could send a memo of concern to Paula and then send a copy to Paula's superior.

What Are the Ethics of the Alternatives?

- Ask questions based on a "utilitarian" perspective (costs and benefits). For example:
 1. Which possible alternative provides the greatest benefit to the greatest number of people/entities?
 2. How should costs be measured in this situation? How much value should be placed on "doing the right thing" for (1) a much larger cause of not promulgating the physical stereotype for the many people in our society born with lower physical attractiveness, (2) a much larger cause involving greater recognition of an often overlooked phenomenon, and (3) an individual's belief and conscience that are founded on and supported by a large body of research?
 3. Do the benefits outweigh the financial costs to the company which, if the marketing plan is not changed, is expected to be successful (as a result, in Terry's opinion, of a social injustice)?

- Ask questions based on a “rights” perspective. For example:
 1. What does each stakeholder have the right to expect?
 2. Does Terry even have the right to bring up this topic since it is not currently legal to discriminate based on physical attractiveness?
 3. What right does management (Paula and her boss) have in running the company in a way that does not take into account each and every dimension of society’s many concerns?
- Ask questions based on a “justice” perspective (benefits and burdens). For example:
 1. Which stakeholders carry the greatest burden if the marketing plan is executed as it now stands?
 2. Do any stakeholders stand to benefit if the marketing plan is changed to use an equal number of persons of lower and higher physical attractiveness? What about using only physically attractive persons?
 3. Which stakeholders stand to benefit the most if through a series of promotions, Terry eventually replaces Paula as Brand Manager? Will Terry’s social conscience be a benefit or a burden to the company for which she works?
 4. Does Terry benefit more or less by keeping quiet on this issue? If she speaks up, will she be viewed as a troublemaker or concerned citizen; a nuisance or a valuable person who foresees opportunities and problems?
 5. Is there a difference, for long-term versus short-term benefits/burdens, if Terry speaks up and the marketing plan is changed so that it does not reinforce the negative stereotype associated with people of lower physical attractiveness?

What Are the Practical Constraints?

1. Substantial scientific evidence exists in academic journals, but discrimination (via the physical attractiveness phenomenon) is not widely known among the general public. Terry’s concern is for a social injustice that is currently not a popular cause.
2. While there are a few related lawsuits in progress, there is not a solid body of related law.
3. Paula and her boss are more likely concerned than Terry with the short-term success of the marketing plan for their floor scrubbing soap, while at the same time complying with a myriad of other “more tangible” laws and restrictions.
4. Paula is likely to be resistant to a change, given (1) her increased chance of being promoted if the plan is successful, (2) the fact that her superior has already approved and praised the plan.
5. Terry’s payoff of being promoted is more real and tangible than her minor contribution to “improve” society by being conscious of the physical attractiveness phenomenon.
6. If Terry does take an active stance and alerts the company to a marketing practice that could avoid future problems, she could possibly be favorably recognized later for her foresight.

What Actions Should Be Taken?

1. What should Terry do? Should she actively support the marketing plan as it now stands?
2. What alternative would you choose if you were in her position? Why would you make that choice?
3. Which ethical theories (utilitarian, rights, justice) make the most sense to you as they relate to this situation?